

## **LICENSE PLATE AUCTION GROUP (LPAG)**

Colorado Department of Revenue

1881 Pierce, Boards & Commissions Conference Room, Lakewood Colorado

March 31, 2014

### **Minutes to the Meeting**

Members in Attendance: Maren Rubino, Rich Medina, Peter Pike, Bobby Juchem, Gina Robinson, Mark Simon, Bob Gall, Ryan Carson, and T.H. Mack Sr. (via telephone).

Guests in Attendance: Kit Sage, Tony Anderson (DOR), Chris Hochmuth (DOR), Dylan Ikenouye (DOR), Chris Hines, Maury Knaizer (AG) (via telephone), Rodney Johnson (DOR) (via telephone), Marty Zimmermann, Jeff Porter, Stephanie Ricker, Kate Miller, and Aubrey Cornelius

### **CONVENE:**

- ✓ Meeting convened at 10:04 a.m.

### **Welcome and Introductions:**

- ✓ Bobby took the roll call of who was on the phone and present in the room, see above.
- ✓ Next Bobby tried to entertain a motion to approve the February 24<sup>th</sup> minutes. Maren noted that the minutes would be corrected to reflect Gina Robinson's attendance. The minutes were approved.

### **Old Business:**

- ✓ Tony Anderson – Update on Rule: Tony presented the proposed Rule 36 to 1 CCR 201-10. *[Dylan made the actual presentation as Tony's voice was failing due to his cold.]*

Bob asked a clarifying question, the right to the configuration and the right to register and actually registering the configuration on a plate. Mark answered his question and Dylan confirmed.

Peter Pike asked for clarification as to why we were considering a "new" Rule under old business. Maren explained the Rule making process, and how Rules went through workshops, make changes, then submit to formal hearings, etc. This is to get the process started.

Peter stated he was confused and asked where the section on "retired" plates was. He stated he was under the impression that this Rule was to give the LPAG a first right of refusal around plates that had been "retired" and might come back into circulation. Maren used C.R.S. 42-1-404 (2) (a) to clarify: "The group shall study the market and determine which registration numbers are the most valuable, including both the types of plates currently issued and any type of plate that has been historically issued. Based on the study, the group shall select the most valuable registration numbers and request the department to verify whether plates with the registration numbers are currently issued. The group shall not send the request to the department more than once every six months." Peter asked for Maren to interpret the above referenced statute. Maren did so using examples and stating that plates not currently

registered were available for reservation. Further, any plate that is more than 25 months past its expiration date it could be available for reservation.

Bobby stated that he believed that the discussions mentioned above were more in the line of finding out if there was a way to capture these 25 month expired/retired plates and put them on some sort of “hold” while LPAG studied them, and then made bi-annual request, so that they didn’t get re-registered to the public prior to LPAG getting a shot at them.

Bob asked about 2.9 part of the rule and whether or not a corporation could own a LPAG plate. Dylan said it would be covered in his presentation a little later.

Gina re-asked Bobby’s question. Maren answered no, there is no way to put plates on “hold” until LPAG could make their requests as the Department did not have the man power to address this, since it would essentially be having LPAG submitting a request every day, as plates expire every day. Mark commented that the legislative intent was that the only way “retired” plates could come back was to be through LPAG. Maren noted that the statutes did not make any such reference.

Marty asked when the six month period(s) were. Maren noted that it was six months from the last request. Dylan noted that the first request was on 4-6-2012, the last request was made 2-25-2013. It has been over a year since the last request.

Bob asked if every April and October would be good dates. Rich commented that if they missed a date, then they would be out of pocket for six more months. Maren offered that the Department could make a sort of “carry over” for requests that were not available last time and simply carry them forward each time along with any new requests from LPAG. The committee agreed that was a good idea. Dylan said he could arrange this. Maren asked for the list of what was already reserved be sent her to be sent to the group.

Kit asked for clarification about winning a configuration and actually registering the plate. The answer was that anyone can win a configuration, only Colorado Residents can register it on a plate to a vehicle, further which once put on a plate, the winner must register it within the 13 month period or the configuration would revert back to LPAG. To help clarify this for purposes of the Rule, Maren offered a new 2.7 to say something to the effect: “The registration winner remains the owner of the number in perpetuity.” *[All numbering in the rule then adjusted accordingly.]* The committee agreed this (or similar) would be acceptable. TH asked if “perpetuity” was really what the committee wanted – would it then revert to heirs. Maren quoted C.R.S.42-1-402 (2): “The right to use a registration number is a perpetual license, the use of which is subject to compliance with this part 4.” TH continued to question “perpetuity”. TH suggested that it should be more generic. Maurice suggested that the time factor should be consistent with C.R.S. “The Registration winner remains the owner of the number for a period of time consistent with Colorado Revised Statutes.” TH agreed that was better. After some discussion, it was agreed that in this instance, “perpetual” meant for the (natural) life of the auction winner and not to his/her heirs. Mark asked if the auction winner sold the configuration to another person, did the right of “perpetuity” extend to the buyer. Mark then, essentially answered his own question since those plates must be re-sold/transferred through the LPAG. 2.7 “The registration winner remains the owner of the number for the life time of

the winner. (Based on the definition, for this rule, that perpetual means the lifetime of the owner)."

- ✓ Dylan made his revised presentation about "Auction Registration Numbers" that he had made in the beginning of LPAG. For specific highlights or a copy of this presentation, please email Dylan Ikenouye. Additionally, Dylan said he'd email his presentation to the group.

Maren asked if Dylan could produce a list of plates that had been personalized and are not currently registered. Dylan said he could ask for the query to be run and work with OIT to get it as soon as possible. Dylan couldn't promise for OIT but thought he could probably have it for the next meeting.

Marty also asked for the most frequently requested plates. Dylan noted that it was a huge request that he'd already been working with OIT on and will try to get it to him as soon as possible, probably not for the next meeting.

- ✓ Zimm Consulting's presentation: Marty started by introducing himself and the people (sub-contractors) who make up his team: Marty is the liaison and coordinator; Jeff Porter from Handbid – silent auctions, mobile auction platforms; Stephanie Ricker, Zimm consulting [unintelligible]; Kate Miller, Sproket Communications – working on promoting the event and reaching out to the auction winners; Aubrey Cornelius, Sproket Communications -- President of Sproket, a PR firm.

Seven bullet points:

- ✎ Studying the market, building a web site for people to vote on which to auction.
  - Are the obvious things we've missed?
- ✎ Plan a fundraising event where 4 plates are auctioned off. Either August 18<sup>th</sup> or August 21<sup>st</sup> depending on the final Bronco's schedule. Working on locations, celebrity Auctioneers, 500 people present, draft budget.
  - Fiscal Sponsors?
  - Can Fiscal Sponsors get a tax write off?  
Mark moved and Rich 2<sup>nd</sup> that Zimm Consulting be given permission to move forward with finding a Fiscal Sponsor. The motion passed.
- ✎ A separate marketing budget, with a media buy, a media partner, purchasing broadcast ads, targeted CXO mailing campaign.
  - Peter asked about the Governor's office. This would be addressed in Subcommittee.
  - Logo needs to go through the Aaron Kennedy State's branding office. Stephanie will be coordinating the logo to go on the plate. She will need to get with the Branding office then with Dylan and Corrections to make sure it can be done.
  - Marty asked about where the information about who benefits this auction was coming from as he was unable to locate it. Mark said it was from the Colorado Health Foundation Study.
  - Wants to make sure there is a complete/accurate list of invitees so no one is left out.
  - Listed the top 14 possible domain names for the website – more work in the Subcommittee

- Website map
- Payment method(s)?
- Pre-qualification of buyers? A great deal of discussion ensued. More research will be done.
  - Does the state have the ability to collect credit cards or will another system have to be procured?
  - Whose account does the money go to, to filter back to the various agencies/state?
  - Payment plans? No one liked this idea.

🔗 Sustainability – doing an online auction for two weeks after the live event to test the sustainability. There was consensus for this.

**Public Testimony:** none

Dylan emphasized that plate images **cannot** be used without the permission of the special plate groups/organizations. Dylan can get permissions for regular green and white or the designer plate logos from Corrections.

Bobby adjourned the meeting at 12:07 pm

Respectfully submitted  
Chris Hochmuth  
Administrative Services Supervisor  
Title and Registration Sections  
Department of Revenue